

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: April 23, 2007

COUNTY

Date Filed:

Court Date:

ATTORNEY(S): Kathleen A. Zebrowski Esq. : U.S. Attorney's Office - SDNY PH: 212-637-2710

ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,

VS.

MARC W. STEIN,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF WESTCHESTER SS.:I, Shirley Buyer, being duly sworn deposes and says:Deponent is not a party herein, is over 18 years of age. On 5/9/07 at 5:34 PM
at 1178 FARMERS MILLS ROAD CARMEL, NY 10512, deponent served the within

Summons and Verified Complaint

with Index Number 07 CV 3255, and Date Purchased April 23, 2007 endorsed thereon,
on: MARC W. STEIN, Defendant therein named.#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION ☐ By delivering to and leaving with _____ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON ☒ By delivering a true copy of each to SCOTT STEIN - BROTHER a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☒ dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.#5 MAIL COPY ☒ On 5/11/07 deponent completed service under the last two sections by depositing a copy of the SUMMONS & VERIFIED COMPLAINT to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of NY Certified Mail No. _____Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: ☐ Unknown at Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other: _____#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows: 5'7"
(use with #1, 2 or 3) Sex M Color of skin WH Color of hair BR Age 30-35 Height 5'7"
Weight 170 Other Features: _____#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARY SRVC ☒ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of _____ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.#10 OTHER ☐Sworn to before me on this 11th day of May 2007Ellen Eakley
Notary Public, State of New York
No. 01EA5085889
Qualified in Westchester County,
Commission Expires Sept. 29, 2009

Process Server

Please Print Name Below Signature

Invoice/Work Order # 0716915